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SUBJECT: Senegal's New Vice Presidency-An Empty Shell

11. (SBU) Summary: On May 15 the Senegalese National Assembly voted in a favor of a constitutional amendment to create the position of Vice President (VP). Although many deputies belonging to President Abdoulaye Wade's own party argued against the move, saying that such a position is superfluous, they passed the law nonetheless. The VP has no executive power and his/her terms ends with that of the President, meaning that that person is not even in the succession hierarchy. The Senate is expected to vote in favor for the adoption of the amendment on Monday, May 25, after which both houses will meet in congress to adopt the amendment. End Summary.

Content of the Law

12. (SBU) The proposed amendment is made up of three articles. The first article, added to article 26 of the Constitution, states "The President may be assisted by a Vice President appointed after consultations with the Presidents of the Senate and the National Assembly. The Vice President's term shall not exceed that of the President." The Vice President must fulfill all criteria required to become Head of State: i.e. hold exclusively Senegalese nationality; be at least 35 years old on the day of the election; and be able to read, write, and speak fluently the country's official language (French). The law also stipulates that the VP will be second in rank after the Head of State. It also stipulates that the President can "by decree delegate to the Vice President certain powers," but those powers should not be in the domain of what is generally referred to as sovereignty powers. Powers that cannot be delegated are listed as follows in the Constitution: defining the policy of the nation (art. 42); accrediting ambassadors (art. 46); the power to pardon (art. 47); the power to appoint the cabinet (art. 49); the power to initiate a referendum (art. 51) exceptional powers when the Nation is in peril (art. 52); the power to sign bills into law (art. 72 and 73); the power to dissolve the National Assembly (art. 87); and the power to appoint senior and Supreme Court judges (art. 89 and 90).

Hesitant Law-makers

13. (SBU) President Wade's ruling Senegalese Democratic Party (PDS) and allied parties control 100 percent of the Senate and 90 percent of the National Assembly. For this reason, Wade can usually expect easy passage of any of his pet projects. However, in this case he anticipated (correctly as it turns out) that some PDS deputies would be reticent to vote for the amendment because its passage would appear to run contrary to the will of the Senegalese people who recently handed the PDS a defeat in local elections in part because of a widespread view that government expenditures are out of control. On May 7, President Wade invited all of his party's deputies and cabinet members to the presidency to explain his rationale for the Vice Presidency. He opened the meeting by telling them that he wished to hear their views on the issue. Elhadj Diouf, the head of a small party in Wade's coalition told the President that "Creating a VP is not necessary and it is dangerous." Diouf was roundly applauded by his colleagues. A member of the Assembly who attended the meeting told the Embassy that it was at this point

that Wade turned to Alioune Diop, the Deputy Director for Political Affairs in the Presidency, and asked him to stop giving the floor to the Deputies. He then berated Elhadj Diouf telling him, "You miss the political point here. I see that you still have a long way to go before being a political leader." The President explained that the VP's main task will be to help women in rural areas and deal with their socio-economic issues.

Wade Modifies Proposal Under Pressure

¶4. (SBU) In the first version of the amendment, the VP was to be appointed for an indefinite period and the position favored giving women access to a senior executive position in the State. When the Assembly's Legislative Committee examined the amendment on May 14, the Minister of Justice accepted three changes suggested by critical deputies from the ruling party. The first was to eliminate references to women in order to avoid discrimination. The government then agreed to include a line that the President has to consult the chairs of the two chambers of Parliament before appointing the VP, although their advice will not be binding. The President also agreed that the term of the VP cannot be longer than that of the President's. The legislative report explaining the rationale for the amendment was also completely rewritten. Now instead of saying the position is created to promote women, the report now reads, "The Vice President will allow the President to be better represented and increase the President's efficacy. The Vice President will boost the fluidity of the functioning of administrative entities, which are directly under the President's authority."

Tiny Opposition

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¶5. (SBU) In spite of the criticism, the vast majority of deputies defended and voted for the amendment. However, the President's coalition did feature two deputies who abstained and one who voted against the law. Those who abstained denounced what they viewed as Wade's authoritarian approach and the urgency to create an unnecessary position. Elhadj Diouf who voted against it said in the plenary session, "I will not vote for this law because I am not a coward, and Senegal is not a banana republic." He further went on "if we cannot say no to Wade, what are we doing in this Assembly? Wade makes mistakes and we must tell him so if our goal is to remain in power".

A Weakened President

¶6. (SBU) Minister of Justice Madicke Niang, who defended the law on behalf of the government, said that the Government is not creating another institution. In his view, the "Vice Presidency will increase the proximity and relations of the State with the people. The Vice President will represent the President." Niang continued by saying that with the VP in place Wade could continue to look for funding abroad to support Senegal's development. For NDeye Fatou Toure, a deputy with the small Tekki opposition party, the need to create a glorified "Assistant President" is a "sign of impotence." Imam MBaye Niang, a fiery opposition deputy from an Islamic reformist party, noted that this was the fifteenth amendment to the Constitution in eight years (Note: This version of the Constitution itself was only adopted in 2001. End Note.); he told the Minister of Justice "if you continue to govern this way, you will make it easy for us to replace you at the next Presidential election."

A women-centered strategy

¶7. (SBU) The creation of the position of VP is pure political theater that allows Wade to burnish his pro-feminine credentials. This was clearly stated in the original version of the amendment that read, "In his continued will to strengthen the power of women in the institutions, the President of the Republic had recently

proposed to women the choice of being offered either the position of Prime Minister or of that of Vice President [on the occasion of his independence day address to the nation]." A PDS leader told the Embassy that women figure prominently in President Wade's strategy to have his son Karim elected Senegal's next President. Wade plans to give them access, via the new VP, to economic benefits with the goal of having them support Karim. The VP will benefit from the President's funds and proximity to boost programs targeting women. Awa Ndiaye, a former Minister of Family Affairs and a female leader of the Generation du Concret created by the President's son, will be assisting the VP in her new capacity as a Senior Minister in President Wade's office.

COMMENT

18. (SBU) By the Government's own admission the Vice President of Senegal has very little power and one wonders why the position is even necessary. The reality is that the VP is a totally useless and unnecessary entity that will add another parasite to Senegal's already bloated body politic. Meanwhile, the gap between President Wade and the citizenry continues to widen. While the people elected opposition candidates to run their cities as a warning to Wade to improve governance and address their basic needs, he remains stubbornly focused on trying to contain the opposition while promoting the fortunes of his son.
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